IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE THOTTATHIL B.RADHAKRISHNAN

THURSDAY, THE 1ST MARCH 2007 / 10TH PHALGUNA 1928

WP(C).No. 31107 of 2006(C)

PETITIONER:

NIZAR P.M.,
PERINGOTTU HOUSE, VADAVUCODE P.O.,
VIA. KANGARAPADY, ERNAKULAM DISTRICT.

BY ADV. SMT.K.G.SAROJINI
SMT.N.C.SALINI

RESPONDENTS:
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1. DEPUTY TAHSILDAR (R.R),
KANAYANNOOR TALUK, ERNAKULAM DISTRICT.

2. VILLAGE OFFICER,
THRIKKAKARA NORTH VILLAGE, ERNAKULAM DISTRICT.

3. DISTRICT EXECUTIVE OFFICER,
KERALA MOTOR TRANSPORT WORKERS WELFARE FUND,
ERNAKULAM.

R1, R2 BY GOVT. PLEADER SMT.ANU SIVARAMAN
R3 BY ADV. SRI.P.RAMAKRISHNAN, SC,KMTWF BOARD

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 01/03/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX IN WPC.31107/06

PETIITONER'S EXHIBITS:

EXT.P1: TRUE COPY OF THE NOTICE DATED 26.10.06 ISSUED UNDER SECTION 7 OF THE R.R.ACT BY THE 1ST RESPONDENT.

EXT.P2: TRUE COPY OF THE PROVISIONAL DETERMINATION ORDER DATED 16.6.03 ISSUED BY 3RD RESPONDENT.

EXT.P3: TRUE COPY OF THE OBJECITON FIELD BY THE PETITIONER AGAINST THE EXT.P2 PROVISIONAL DETERMINATION ORDER.

EXT.P3(a): TRUE COPY OF THE COMMUNICATION DATED 26.6.03 SENT BY THE WORKERS MENTIONED AS SERIAL NO.2 TO 4 IN EXT.P2 PROVISIONAL DETRMINATION ORDER.

RESPONDENT'S EXHIBITS:

EXT.R3(a): TRUE COPY OF THE FINAL DETERMINATION ORDER DATED 27.4.05.

/TRUE COPY/

THOTTATHIL B.RADHAKRISHNAN, J

W.P(C).No.31107 OF 2006

Dated this the 1st day of March, 2007

JUDGMENT

The contention of the petitioner is that final determination order is not served on him. Ext.R3(a) final determination order was returned unserved as 'unclaimed'. Therefore, the contention fails. Under such circumstances, I do not find any ground to interfere with the impugned proceedings.

The writ petition fails, the same is accordingly dismissed.

THOTTATHIL B.RADHAKRISHNAN
Judge

kkb.